



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

10711 Burnet Road, Suite 200  
Austin, Texas 78758  
(512) 490-0057

April 22, 2003

#E1-56  
RQ

Jaya Zyman-Ponebshek  
URS Corporation  
PO Box 201088  
Austin, Texas 78720-1088

FD 34284

Consultation # 2-15-2003-0276

Dear Ms. Zyman-Ponebshek:

This is a response to your March 31, 2003, letter requesting that the U.S. Fish and Wildlife Service (Service) review potential impacts to federally listed or proposed threatened and endangered species, designated critical habitat, and wetlands that may occur as a result of construction of rail line connecting the proposed Vulcan Materials Company (VMC) quarry to the existing Union Pacific Railroad Company (UP) in Medina County, Texas. We understand the 7-mile rail line will consist of a single track and will be available for use by other industries in the area, including other quarries.

We are providing this information to assist you and the Surface Transportation Board (STB) in assessing and avoiding impacts to federally listed or proposed threatened and endangered species and their habitat pursuant to the National Environmental Policy Act of 1969.

#### Endangered and Threatened Species

There is currently no designated critical habitat for any species in Medina County. The only two federally listed species that occur in Medina County are the black-capped vireo (*Vireo atricapillus*) and the golden-cheeked warbler (*Dendroica chrysoparia*). We are unable to determine, based on aerial photographs of the area, if these species may be present in this area. It appears that most of the area in the vicinity of the proposed rail line is primarily used for agriculture and has been previously cleared. However, we are particularly concerned about the area noted by STB as the "straight loading track option". It appears the vegetation in this area has not been cleared and may support habitat for one or both of these species.

Please see the enclosed species information and assess the potential for the construction to affect the warbler or vireo. We recommend including a habitat assessment and, if applicable, survey results of the rail line corridor. Any surveys should be done by a biologist familiar with protocols established by the Service to assure the results are accurate as possible. Photos and a detailed description of the vegetation (including percent canopy cover and individual tree species) of the area are helpful in determining if these species may be present. If it is determined that one or both of these species are present, please contact this office for further information on how to avoid or minimize adverse impacts.

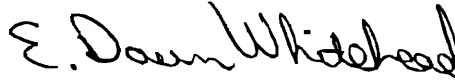
Ms. Zyman-Ponebshek


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The State of Texas provides legal protection for additional species of plants and animals (Texas Parks and Wildlife Code Chapters 67, 68, and 88). We recommend you contact the Diversity Program of the Texas Parks and Wildlife Department, 3000 IH-35 South, Suite 100, Austin, Texas 78704 (512/912-7011) for information concerning animals and plants of State concern.

We thank you for your concern for endangered and threatened species and other natural resources, and we appreciate the opportunity to comment on the proposed rail line. If we can be of further assistance or if you have questions about these comments, please contact Jana Milliken of our staff at 512-490-0057, extension 243. Please refer to the Service Consultation number listed above in any future correspondence regarding this project.

Sincerely,



 Robert T. Pine  
Supervisor

Enclosures

cc: Victoria Rutson - Surface Transportation Board, Washington, D.C.